

**FLATHEAD CITY/COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE
Bylaws - Revised October 2006**

**ARTICLE I
NAME**

The name of this organization shall be the Flathead City/County Local Emergency Planning Committee, hereinafter referred to as the LEPC.

**ARTICLE II
PURPOSE**

The purpose of the LEPC shall be:

- A. To carry out for the County of Flathead and its political subdivisions those responsibilities required of the LEPC pursuant to Public Law 99-499, Superfund Amendments and Reauthorization Act of 1986 (SARA), Title III, and related regulations including but not limited to:
 - 1. To develop Flathead County's emergency response and preparedness capabilities through better coordination and planning.
 - 2. To develop, train, and test hazardous substances emergency response plan for Flathead County and its political subdivisions.
 - 3. To develop procedures for regulated facilities to provide notification to the LEPC in accordance with Title III, SARA.
 - 4. To develop procedures for receiving and processing requests from the public under the community right-to-know provisions of Title III, SARA.
 - 5. To provide for public notification of committee activities.
- B. To implement such other and further related activities as may hereafter be legally required by the Federal Government, the State Emergency Response Commission (SERC), or the LEPC.

**ARTICLE III
POLICIES**

Section 1. Powers and Duties

The LEPC shall provide oversight for all planning for emergency preparedness and public education related to all hazardous incidents.

Section 2. Fiscal Year

The fiscal year shall be July 1 through June 30.

Section 3. Expenditures

Any expenses incurred by LEPC shall be approved by the Executive Committee.

Section 4. Use of Funds

No part of the net earnings of the LEPC shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the LEPC shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II in this document.

Section 5. Restriction of Activities

LEPC shall not attempt to influence legislation, and the LEPC shall not participate in, or intervene in any political campaign on behalf of or in opposition to any candidate for public office.

Section 6. Distribution of Assets Upon Dissolution

Upon dissolution of the LEPC, assets shall be distributed to local government agencies through the Emergency Response Authority, the Director of OES, for preparedness purposes.

ARTICLE IV MEMBERSHIP

Section 1. Qualifications

The organization shall consist of those members elected by a majority vote of a quorum of the LEPC and reported to the Emergency Response Authority Director for approval by the SERC for membership. The members shall represent the various professional and community groups as designated by Title III, SARA.

Section 2. Vacancies

Any vacancy occurring in the LEPC by reason of resignation, death, or disqualification of a member will be filled by a majority vote of the committee approval of persons nominated by the Executive Committee in accordance with Article IV, Section 1. The names of candidates approved to fill vacant or additional positions shall be submitted by the Emergency Response Authority and forwarded to SERC.

Section 3. Alternates

At the beginning of each fiscal year the members shall designate a duly authorized alternate whose attendance shall be counted in determining a

quorum in the absence of the regular member and who is permitted to vote in place of the regular member.

Section 4. Attendance

Members are responsible to attend LEPC meetings and the meetings of the Standing Committees or other ad hoc committees to which they are assigned. Members who fail to attend two consecutive LEPC meetings or two consecutive Standing Committee meetings to which they have been assigned will be notified in writing by the Secretary of their pending termination. There will be a report on member attendance at the next Executive Committee meeting and the Executive Committee will determine and rule on the removal of a member.

ARTICLE V OFFICERS and ELECTIONS

Section 1. Officers

The Officers of the LEPC shall be a Chair, Vice Chair, Secretary and Treasurer, who shall be elected by a majority of the membership.

Section 2. Eligibility

All Officers shall be a member in good-standing of the LEPC.

Section 3. Nomination and Election

A nominating committee shall be appointed by the Executive Committee at the general meeting immediately prior to the biannual meeting. The nominating committee shall submit the positions of Chair, Vice Chair, Secretary and Treasurer at the biannual meeting. Additional nominations for the positions shall be accepted from the floor before the election. The election shall be by ballot, except that when there is only one nomination for an office, election may be by voice vote. These elected officers shall be selected by a majority of the members of the LEPC present and voting at the biannual meeting.

Section 4. Term of Office

The term of the elected officers shall be for a period of two years, starting immediately after the election at the biannual meeting, or until the officer's successor is elected.

Section 5. Vacancy

The Executive Committee shall fill any elected officer's position that becomes vacant after an election.

Section 6. Duties of Officers

The officers of the LEPC shall perform the duties prescribed by these

Bylaws and by the parliamentary authority adopted by the LEPC. Additional duties of the officers not covered elsewhere in these By Laws are:

A. Chair

The Chair shall preside at all general meetings of the LEPC and the biannual meeting, Executive Committee meetings and any special meetings of the LEPC; shall serve as ex officio member of all committees except the nominating committee; and shall perform such duties and acts as necessary to accomplish the goals of the LEPC.

B. Vice Chair

The Vice Chair shall perform such other duties as may be assigned by the Chair; and shall perform the duties of the Chair in the absence of the Chair.

C. Secretary

The Secretary shall be the custodian of all non financial records, papers, documents, and other property of the LEPC; keep a true record of the proceedings of all meetings of the LEPC including membership attendance; mailing lists and email mail lists, and shall attend to the business needs of the LEPC; and prepare membership updates for submission to the SERC for approval.

D. Treasurer

The Treasurer shall maintain an accurate public financial record of all monies received and expended for the use of the LEPC. Expenditure of funds shall be coordinated with the Director of OES.

ARTICLE VI EXECUTIVE COMMITTEE

Section 1. Members

The Executive Committee will consist of the Chair, Vice Chair, Secretary, and Treasurer who shall also hold the position of Emergency Response Authority (Director of OES) and the committee chairs of the standing committees.

Section 2. Authority

The Executive Committee shall be subject to the decisions of the LEPC, and none of its acts shall conflict with actions taken by the LEPC.

Section 3. Meetings

The Executive Committee shall meet no less than 14 days prior to the LEPC general meetings. Special Meetings of the Executive Committee shall be called by the Chair and shall be called upon written request of three members of the Executive Committee. The presence of a majority of the members shall constitute a quorum.

ARTICLE VII MEETINGS

Section 1. General Meetings

The LEPC general meeting shall be held no less than quarterly, beginning in January of each year at a time, date, and place designated by the Executive Committee.

Section 2. Biannual Meeting

The meeting known as the biannual meeting and shall be held in the fourth quarter of every other year for the purpose of electing officers, receiving final reports of officers and committees, and for any other business that may arise, unless otherwise ordered by the Executive Committee.

Section 3. Special Meetings

Special Meetings of the LEPC may be called by the Chair or by the Executive Committee, and shall be called within 14 days upon written request of five members of the LEPC. The purpose of the meeting shall be stated in the call. Except in cases of emergency, at least three days' notice shall be given.

Section 4. Notice of Meetings

The LEPC shall publish notice of general meetings, biannual, and special meetings at the Flathead County Justice Center at least 72 hours prior to such meetings. In an emergency declaration by the Chair and confirmed by a majority of the LEPC in attendance at the emergency meeting, the 72 hour notice may be waived.

ARTICLE VIII COMMITTEES

Section 1. Standing Committees

The Standing Committees of the LEPC are Executive, Community Education, Hazardous Assessment, Emergency Response, Emergency Notification, Finance, and Public Information.

Section 2. Membership of Standing Committees

All members of the LEPC must serve on at least one Subcommittee. Final

membership on the Subcommittees shall be determined by the LEPC Executive Committee to ensure that all committees have sufficient members to carry out their assigned tasks. The Standing Subcommittee may have non-voting, non-LEPC members as deemed necessary.

Section 3. Meetings

The Subcommittee shall hold at least one meeting between consecutive general meetings. Additional meetings of the Subcommittees may be called by the Chair of the LEPC or the chair of those committees as deemed necessary. The presence of three members shall constitute a quorum for the transaction of business.

Section 4. Audit Subcommittee

An Audit Subcommittee of three members shall be appointed by the Executive Committee Chair as needed and whose duty shall be to audit the Treasurer's LEPC accounts at the close of the fiscal year and to report at the biannual meeting.

Section 5. Ad Hoc Committees

The Chair may create ad hoc committees as necessary to perform the functions of the LEPC. The Chair and members of committees shall be appointed by the Chair with the approval of the Executive Committee.

ARTICLE IX AMENDMENTS

Section 1. Amendments

These Bylaws may be amended by a two thirds vote of members present and voting at any full meeting of the LEPC provided that any proposed amendments to these Bylaws be submitted to the members in writing at least 30 days in advance of the meeting.

ARTICLE X PARLIAMENTARY AUTHORITY

Section 1. Parliamentary Authority

The rules contained in Robert's Rules of Order, Newly Revised, shall govern LEPC in all cases to which they are applicable and in which they are not inconsistent with these By Laws.